WALLACEC. ANDREWS YIELDS

A SETTLEMENT WITH THE GAS COMPANY.

OVERTURES OF PEACE WHICH INCLUDED THE

RETURN OF STOCK TO THE TREASURY. Wallace C. Andrews, the ex-president of the Standard Goslight Company, was as light-hearted yesterday as a boy on Christmas morning. His feelings of good will to mankind in general and to gas company officials in particular fairly beamed from his clean shaven, sharp-featured face as he left the room where the board of directors had been in session.

"Every hing is seitled," said he. "We had a most harmonious meeting and everybody is happy."

What were the terms of settlement?" was asked.
"Well, that you don't get," he replied, as he started to leave the building. As an afterthought, he turned and said, sharply : "Now you needn't hunt up anybody else and try to get more about this business, for you won't get it unless somebody breaks the promise he has made. I have said that everything was settled and everybody was happy, and, by God, that's all any one needs to know."

The 300 or 400 stockholders of the Standard Gaslight Company may not agree with Mr. Andrews in his estimate of the news value of the settlement which was For their benefit it may as arrived at yesterday. For their benefit it may as well be stated that the gas company did not lessen in the slightest degree their demands Andrews, and that therefore the expresident must return to the trensury common stock to the par value of at least \$1,500,000, and it is more that he has agreed to return \$1,750,000 of The settlement will be made final at a meeting of the directors on Friday, when the papers will be and the transfer of the stock to the company

At the time the company brought the charge of wrongful conversion of stock against Mr. Andrews, the return of 80,000,000 of it was fixed upon as the only basis on which the directors would make a settlement. Mr. Andrews had shrewdly resigned the office of president as soon as he found the storm was brewing. this he relieved the directors of the necessity of Then when the controversy came quarely to an issue be offered to return \$1,500,000 of the common stock, asserting that this amount was all that remained in his possession. His offer, however, he said, was conditional upon the return of \$250,000 each from the Spinola and Monhelmer estates make up the amount demanded by the company. But Mrs. Spinola and Mrs. Monheimer positively refissed to contribute to the peace fund more than \$125,000 each from the stock which had been given to their husbands as fees for legal services. Thus the case stood when on Monday Mr. Andrews made a proposition to submit the case to arbitration, with three as able and honorable lawyers as could be selected" as arbitrators.

Having thus waved the fire-brand before the public eye, Mr. Andrews went to the meeting yesterday with overtures of peace. Arbitration, the directors declared, was out of the question, and Mr. Andrews must accede to the demands of the directors or go to 'He yielded, and the directors were as glad as he was to avoid the necessity of starting the muchinery of the law in motion. The acceptance by Mr Andrews of the terms dictated by the company is not altogether in accord with the statement he issued to the press on Monday. In that he said :

me statements made in the newspapers by Secretary Mexicie, and possibly others, concerning the Standard Castignt Company and my relations thereto, I find so Frany Limits so absolutely false, and others so misleading, that I am constrained to say that I hold no stock that is not my own; and further, that I have said this to Most's from the start; also, that the stock issued to me was legal at the time, and has never coased to be so. The stock, therefore, belongs to me and to no one els I have never changed my position on this point.

Ferdinand McKeige, the secretary of the company, said yesterday that he had intended to reply to Mr. Antrews's sintement, but had been persuaded not to do so because of the settlement which had been agreed He added: "In justice to myself, however, I will say that every statement that I have made to reporters about this matter is true in every respect, and am prepared to make outh to that effect. Mr. Audrews has done me great injustice all the way

The Health Board yesterday revoked the order to close the works of the Standard Gaslight Company as One-hundred and fifteenth-st, and the East River. Re-One-hundred-and-fifteenth-st, and the East River, Reports from sanitary inspectors and politemen, who had been watching the gasworks day and night sance the previous meeting of the Board, showed that the mulasance there had been absted. Members of the Chizzens' Protective Association, who had been active in making complaints against the works, also appeared before the Board and said that the causes of complaint had been removed. They held a lovefeast in the rooms of the Health Board with President Bostwick and other directors of the gas company, who declared that offendive odors from the works would not be permitted in future.

FIRE IN A CONVENT.

OVER TWO HUNDRED CHILDREN DRIVEN OUT BY THE FLAMES-NO LIVES LOST.

Newburg, N. Y., Dec. 1 (Special) .- A disastrous fire occurred in the large four-story brick building connected with the convent of the Sisters of Mercy at Balmville, just north of this city. In the structure were 234 boys of ages running from two to twelve years. All of these hoys were rescued after heroic work by the sisters in charge. The thermometer was down to 10 above kero and much suffering took place, as some of the little fellows were hatless and shoeless and scantily The building was 100 feet long and 75 feet wide. with additions. The ground floor of the main structure was used as a refectory, the second story was devoted to classrooms, with a chapel at the west, and the third and fourth stories were fitted up as dormitories.

Shortly before 6 o'clock this morning the milkman found smoke and flames shooting out of the north end of the building, in the portion occupied as a laundry and where the heating apparatus was. as the doors were opened the entire building broke into flames. The sisters trushed into the burning building, and under their guidance every child was got out, the larger boys being placed in charge of the smaller ones, and marched from the protectory in procession. It was found impossible to save their wearing apparel, and the little fellows were huddled together on the lawn in such clothing as they could secure. Blankets were wrapped about them and they were made as comfortable as

In the meantime the names had spread to all parts building, and in twenty minutes the whole was a seething furnace. The employes about the place and a few neighbors worked as a bucket brigade to save the stables and the convent, the latter standing within fifty feet of the burning building. At one time was thought the convent was doomed, and the furniture and bedding were removed. The tables for breakfast were set on the lawn, and the boys each received a cup of hot coffee and such food as could be obtained. Sister Mary Teresa said that it was ascertained beyond doubt that not a human being was left in the building. Some of the boys will be cared for in an old building formerly used for them, while the others will be taken by the neighbors until they can be provided for. The loss is about \$35,000 in-sured.

TOO MANY SEPARATE FIRES.

What looks strongly like another in the list of East side incendiary fires was reported to the police of the Eldridge-st. station yesterday. Policeman Robert Henry saw a puff of smoke and flame burst from the windows on the third floor of the five-story tenementhouse No. 141 Norfolk-st. The building is occupied eight Polish families, numbering, with boarders, about fifty persons. Henry sent out an alarm, and then in company with James Haddock, another policeman, dashed upstairs to the burning rooms. The were locked and the policemen were obliged to break them open. The parior, which also serves as a bedroom, was ablaze, and at the first glance the police-men saw that the bed, the sofa and the chairs, all in different corners of the room, were on fire. Each blaze had no connection with the others. When the flames were put out it seemed evident that the room een eet on fire in four different places.

The family of Lyman Slymuch, a sodn-water vender, who occupies the rooms, had left the house just before the outbreak of the fire. Slymuck, when spoken to on the subject, shrugged his shoulders and smiled deprecat-ingly, but made no reply. The Fire Marshal is now in-vestigating the case.

TROUBLES OF BUSINESS MEN.

Judgment for \$8,047 was yesterday entered against the United Ice Lines, wholesale ice dealers at West and Liberty sts., in favor of the First National Bank on a note of the company for \$8,000, dated August 5 1891, payable three months after date, to the order of P. C. Platt, C. Van Cott and C. P. Vedder, which was dorsed by them and turned over to the bank. The note was signed by J. S. Thurston, president, and C. Van Cott. trensurer. The company was incorporated on December 5, 1889, with an authorized capital of \$1,700,000, and is a consolidation of several ice lines, including the New-York and Northern, New-Jersey, Macopin and others. Thomas C. Platt was vice-pres ident, Postmaster Van Cott trensurer, and ex-ser C. P. Vedder a director. Execution was issued to the Sheriff on the above matured judgment. Joseph T. Ladd, jeweller at No. 3 Wall-st., made an

assignment yesterday to W. H. Wiley, giving prefrences for \$2,064 to Edwin M. Wight. He was for about five years in the employ of his uncle, George W Ladd, who died on November 25, 1890, and succeeded to the business, which had been established forty years, and "Ladd's time," which came on the "ticker" every day, was the official time of the New-York Stock Exchange. The assignor formerly maintained that he had about \$50,000 in the business.

EPISCOPAL FERMENT IN BOSTON.

DESCUSSING FATHER PAGE'S LETTER REGARDING THE RECALL OF FATHER HALL.

Boston, Dec. 1 .- Episcopalians in this city and vicinity are eagerly discussing the letter of Father Page, Superior of the Cowley Fathers, just made public. Though estensibly addressed to the Bishop of Oxford, it was really written as an answer to the protest of American bishops and others against the recall of Father Hall from this city. The letter of Father Page is courteous and dignified, but it contains allegations that have roused many Episcopalians to a white heat of Indignation. For instance, the American protest declared that Father Hall should not have been disciplined for obeying the laws of the Episcopal Church while he was a member of it. Father Page assents to this, but claims, nevertheless, the right to recall Father Hall for doing so. But the most offensive part of the letter to Doston Episcopalians is that in which Father Page distinctly questions Bishop Brooks's soundness in the faith. "A minority," he says, "and we believe a large minority, of bishops in America are not fully satisfied in regard to Dr. Phillips Brooks's loyalty to the faith and order of the Church. The facts of the case as they have come before us lead us to agree that minerity." And Father Hall's offence was that his intimate personal knowledge of Dr. Brooks for eighteen years forced him to disagree with the hearsay views of the Cowley Fathers in England. As might naturally be expected, this condemnation of their beloved bishop, by a foreigner, makes the Churchmen hereabouts so mad that they can hardly do justice to his point of view. Two other things may be mentioned as furnishing food for discussion in Episcopal circles here. One is the withdrawal of the Rev. Dr. J. F. Spalding from the Episcopal Church to the Roman Catifolic Church. Both sides use this incident as a weapon. The extreme High Churchmen point to it as an evidence of the harm which Dr. Brooks's election will do the Church. And the extreme Broad Churchmen point to it as an example of the disloyal tendencies of the High Church party. Dr. Brooks's election, say, was a blessing, because it will such men as Dr. Spalding to show true colors and go where they belong. their The other thing talked about is a remarkable incident said to have happened on the day of Dr. Brooks's con-secration, and which has not yet got into print. It is to the effect that just before the consecration service Presiding Bishop Williams read to the assembled bishops a protest against the consecration, signed by two bishops who had been conspicuous in their opposition to the bishop-elect, and that after reading it Bishop Williams said that if any bishops were de sirous of withdrawing from the service they were at sirous of withdrawing from the service they were at liberty to do so. According to the story, which connot absolutely be verified, though it is generally believed, no one withdrew, and it was decided to keep the whole incident secret. Bishop Brooks is winning guiden opinions, even from those who were opposed to him, and has certainly done nothing "unchurchly" thus far. His friends therefore feel that he can well afford to iznore an opposition that seems to be both bitter and unreasonable.

PROFESSOR ROWLIND'S WONDERFUL MACHINE. Baltimore, Dec. 1 (Special).-Professor Henry Rowland, of the Johns Hopkins University, has just com pleted a scientific machine for studying the spectrum and the movements of the fixed stars, which is so delicate and fine that it can rule 1,000,000 lines to the The great feature of this piece of mechanism is the screw, upon which Professor Rowland has spent years of work and study. It is made of steel and was cut in the workshop of the physical laboratory of the Johns Hopkins. Every precaution is taken to have this the most perfect of the division engines which Professor Rowland has devised. It is so placed that its temperature is kept nearly the same all the time, an important consideration in ruling the fine lines. The professor says that its work was not satisfactory for early a year because the proper oil was not used. The machine is capable of ruling 1,000,000 lines to the inch with case, but the eye could not detect them, as even with the strongest microscope only upward of 100,000 lines to the inch can be distinguished. The largest grating made, about five inches in diameter, contains about 110,000 lines. Such a grating takes six days and nights' constant ruling to make. Since June the Professor and his assistant, Mr. Schneider, have been trying in vain to rule a perfect one for Professor Helmholtz, the great German physicist. Professo Rewland has been prosecuting this great work with money obtained from the Rumford fined of the Amer-ican Academy of Arts and Sciences, and from the fund given by Miss Bruce to the Harvard astronomical ob-ervatory for promoting research in astronomical

NEISON DECKER TAKES HIS OWN LIFE.

Philadelphia, Dec. 1.-Nelson Decker, the well-known actor, who on Wednesday last, at the Edwin Forrest Home, made an attempt to take his life by cutting his throat, died at the home this morning. Mr. Decker was about fifty years old. He was born in New-York and his dramatic career was begun there. In 1881 he married Miss Ward Almayne, a young English actress who came to New-York and created a sensation on account of her beauty. The lady was twenty years his junior and their married life, which was an unhappy one, ended in their separation a few years later. From that unhappy affair Decker never recovered. downward course was rapid, professionally and socially. His health also began to fall and in September last, through the instrumentality of Edwin Booth, he was admitted to the Forrest Home. His mind at that time showed signs of impairment and symptoms of insanity gradually developed. Just prior to the attempt on his life steps had been taken to remove him to an in-sane asylum and the certificate of insanity had been

SUING A COUNTY CLERK.

Camden, N. J., Dec. 1 (Special) .- The Camden County Board of Freeholders to-day entered suit to recover from ex-County Clerk Edward Burrough \$20,500, the amount of fees alleged to have been collected by him during his five years' term, which expired last April. The suit is entered in the Supreme Court by John Harris, solicitor for the Board of Freeholders. Burrough is president of the State Board of Agriculture, and his defence is that he is entitled to the fees. On the other hand the Freeholders hold that as the clerk is paid an annual salary of \$5,000, all of the fees should be paid into the county treasury.

Saratoga, N. Y., Dec. 1.-Surrogate Elias H. Peters, of this village, emphatically denies the charges, reported to have been preferred against him to Governor Hill, of defalcations, embezzlements of trust funds and malfeasance in office, and declares that all of the charges can be satisfactorily explained. Mr. Peters was elected Surrogate of this county in 1877 and has been twice re-elected. His present term will expire September 31, 1896.

A NEW STEMMSHIP LINE FROM BALTIMORE.

Baltimore, Dec. 1 (Special) .- A new steamship line has been established between Baltimore and Continental European ports, including Hamburg, Rotterdam and Antwerp. Steamers will run every two weeks. The ships are owned by Hunting & Co., formerly Hunting, Pattison & Co., of Newcastle-upon-the-Tyne.

A WOMAN ARRESTED FOR SMUGGLING.

Mrs. Mary Minnick, of No. 390 Fourth-ave., was arrested by Deputy Marshals Thomas and Brockmeyer yesterday, on a charge of smuggling. The complaint was made by Custons Inspector James H. storey, who declares that Mrs. Minnick tried to evade paying the duty on a lot of clothes, etc., which she brought with fier on La Bretagne, from Havre, on October 12. The articles filled three trunks, and consisted of twenty-five costumes, made by Worth and other Paris firms; eleven wraps, seven cloaks and thirty-five pairs of gloves. The goods were seized by the customs officials.

Mrs. Minnick is supposed to be in the employ of Madame Connolly, a dressmaker, at No. 331 Fifth-ave. T. c prisoner was arraigned before Commissioner Shields and paroled until this morning in the custody of her counsel, Charles A. Hess.

SOMETHING NEW IN THE CORN MARKET.

There was a small sized "boom" in December corn yesterday, owing to a report that November tactics were to be adopted with the December option. Quotations went up two cents before the movement stopped.

The following dispatch was received from Marseilles:

seilles:
President Corn Exchange, New-York.
How is it you decline, after Russian ukase, which makes Europe dependent upon American wheat?
BARBADETTY.

No one knew who "Barbadetty" was, but as the answer was prepaid, Evan Thomas, president of the Exchange, sent the following reply: "Love for our fellow-men."

THE COURTS.

HE WANTS THEM PUNISHED FOR CONTEMPT STOCKHOLDERS OBJECT TO THE WAY IN WHICH

TWO COMPANIES ARE MANAGED. Ex-Judge Dittenhoefer, on behalf of Levi L. Gans and others, made a motion before Judge Lawrence, in the Supreme Court, Chambers, yesterday to punish Abraham C. Bernheim and other officers of the Harlem Lighting Company, for contempt. Gans declares that the Manhattan Electric Light Company and the Harlem Lighting Company have practically the same officers and the books of both concerns are kept in one place. These officers, he says, consist of Bernhelm, his relatives and friends. The capital stock of the Man-haltan Company, Mr. Gans says, amounts to \$1,500,000 and it has a bonded debt besides of \$900,000. The capital stock of the Harlem Company. he also says, is only \$250,000, of which \$150,000 is guaranteed stock. The monthly income of the two companies, Gans says, amounts to \$19,000, and as the capital stock of the Harlem Company is much smaller than that of the Manhattan Company, its stock is more valuable than that of the latter company.

Gans asserts that in order to secure the income the Harlem Company for the Manhattan Company Bernheim and others proposed a practical consolidation of the two companies. The stockholders refused to agree to this proposal and shortly afterward, Mr. Gans alleges, the stockholders received notice that a judg ment for \$142,302 43 against the Harlem Company, in favor of the Manhattan Company, had been entered Upon investigation it was found that this judgment had been entered by default. The stockho ders then came in and asked to have the judgment opened, to allow the stockholders to defend the suit. This motion was granted, and the case was sent to William H. Willis, as referee. An injunction was also secured restrain as referee. An injunction was also secured restraining any proceedings in which the judgment should be used as a basis. The case is still before the referee, but the directors of the Harten Company, at a recent meeting, on motion of A. C. Eernneim, passed a resolution providing for the deposit of \$200.000 in bonds with the Manhattan Company to secure the claim of that company gainst the Haslem Company. This action is the basis of the motion to punish Bernheim and the other directors for contempt.

THE LEGAL CONTEST OF THE TARIFF ACT. ARGUMENTS ON THE TOBACCO REBATE, SUGAR BOUNTY AND RECIPROCITY CLAUSES.

Washington, Dec. 1.-The United States Suprem Court to-day continued the hearing of the three suits brought by New-York and Chicago importers to test the constitutionality of the McKinley Tariff act. John Wilson, representing Marshall Fleld & Co., closed the opening argument for the importers, maintaining that the whole act was vitiated by the omission of the tobacco-rebate section. He illustrated his position by supposing that the free-sugar clause had been omitted and asking if the sugar-bounty clause would in such a case have been held to be legal. He also contended that the rate of duties had been affected by the sugarbounty provision. He ascertained this from the act itself, which was passed for the purpose of reducing the revenues of the Government. Justice Gray inquired where the difference was between the constitutionality of a protective tariff and of a bounty. Mr. Wilson found the difference in the fact that a protective tariff came under the clause of the Constitution giving Congress the right to regulate commerce with foreign nations, while the only authority which could be set up for the bounty system was the general-welfare clause There was a cross-fire of questions and answers be tween the justices and counsel as respects the generalwelfare clause.

Solicitor-General Taft then followed in behalf of the United States. He directed his attention to the omission of the tobacco-rebate section, and his line of argument was that it would not do for the Court to go

Attorney-General Miller maintained the full right of Congress under the general welfare clause to pass a Bounty Act. It was the duty of Congress, in his opinion, to build up the country's industries be independent of the world in time of need. The power granted Congress under the general welfare clause was absolute and was not reviewable by this tribunal or any other tribunal on earth. He cited a great number of cases in which had been delegated to the President the power to say when discriminating atics should be imposed.
Stephen G. Clark, of New-York, argued that the burnt had a right to consider whether or not the bill gned by the President was the bill that Congress had

passed.

The argument will be closed to-morrow by Mr. Clark.

Adjourned until to-morrow at 12 o'clock. The day
call will be as follows: Nos. 1,049, 1,050 and 1,052,
1,061, 27, 115, 116, 118, 119, 49, 120 and 121.

COURT OF APPEALS DECISIONS. LONG LIST HANDED DOWN IN EACH DIVISION -CALENDARS.

Albany, Dec. 1 .- In the Court of Appeals, First Division, to-day, the following decisions were handed down: George Muuro agt. Frank Tousey, appellant. Judgment of the Special and General Terms reversed and judgment ordered for the defendant, dismissing complaint, with costs to appellant in all courts.

George Munro agt. Frank Tousey, appellant. Judgment of the Special and General Terms reversed and judgment to refered for the defendant, dismissing complaint, with costs to appellant in all courses. George Munro agt. Frank Tousey. Judgment the same as Lefore, except costs to appellant in this court only. Peter Rearney agt the Metropolitan Elevated Railroad Company and another, appellants, george Munroe, appellants, J. P. Kennochen, etc., agt. the New-York Elevated Railroad Company and another, appellants, George Munroe, appellant, agt. O. G. Smith and others; M. Altmeyer agt. the same, appellant, George E. Storey agt. the same, appellant in George E. Storey agt. the same, appellant; M. O'Brien agt. R. J. Smith, appellant; O. S. Hine agt. the New-York Elevated Railroad Company and another, appellants; Sebastian Duncan, ir. agt. the Preferred Mutual Ascident Association of New-York, appellant; A. H. Holmes et al. agt. George S. Evans, et al.; Margaret O'welli agt. the Dry Dock, East Broadway and Hattery Railroad Company and another, appellant; J. H. Horton agt. W. H. Childs et al., appellants; V. H. Taylor, appellant, agt. Catherine isylor; A. M. Roos, appellant, agt. Heinfetta Grepper; Ira Porter agt. the Eric Railroad Company, appellant; the Blakeslee Manufacturing Company agt. Blakeslee's Sons' Ironworks, appellant; Theresa Wells, treasurer, etc., agt. E. H. Menihan and another, appellants; C. G. Landon and another, executors, etc., agt. E. H. Menihan and another, appellants; Townshen et al., appellants; Mill H. Howell act. Joseph Edwards Dredging Company, appellant; Charles Lipne agt. Metropolitan Railway Company, appellant, agt. William (B. Duncan, ir., agt. China Mutual Insurance Company, appellants; J. D. Demorest, appellants, agt. Seth Bird et al.; Daniel Mahoney agt. Louis Ungrieh and another, appellants; Torreid and another, appellants; William (B. Duncan, ir., agt. China Mutual Insurance Company, appellant; J. C. Prevest, appellants, ast. W. A. Parsnail; E. P. Hincks et al. agt. Kann Peled and another,

peliants, agt. N. H. Freeland et al. Appeal dismissed with costs.

Sophia Snow, appellart, agt. Miles Broadbent. Judgments of General and Special teems reversed, and judgment of specific performance of centract of sale by defendant deced, with costs to plaintiff in all courts.

The People ex rel, Oakhill Cemetery Association, appellants, act. L. A. Pratt et al. Orders of General and pecial terms reversed, and assessment upon relator's roperty ordered vecated and stricken from assessment with with costs to appellant in all courts.

Valentine Haumanan, appellant, agt. R. Jordan, Judgent of non-suit reversed and new trial ordered; costs and event.

Phenix Insurance Company agt. W. H. Parson.

ont of non-suit reversed and not the constant country of abilde event ance Company agt.W. H. Parsons, appellant upgment entered upon order of General Term modified by educting therefrom a sum equal to the difference between amount of the verdict of #2.333 11 and amount madp by adding together the sum of \$1.125, advanced as the apian's draft; the commission thereon of 2½ per cent and interest on these two sums, at 6 per cent, from March 5. 1884, to the day of the trial; and the judgment, as smodified, affirmed, but without costs to either party as notified, affirmed, but without costs to either party as modified, affirmed, but without costs to either party as against the other.

John Hoey, president, etc., appellant, agt. Thomas P. Giirov, etc. Order of the General Term reversed, and indement of the Special Term affirmed, with costs.

Josephine F. Clason act. Elzabeth S. Baldwin, appellant, so much of the judgment of the General Term as modified judgment entered affirmed, with costs to the plaintiff at the General Term in thise ourt.

Maurica E. Viele, appellant, and William at the General

erm in thise ourt.
Maurice P. Viele, appellant, agt. William H. Keeler,
udgment reversed, and judgment ordered for the plaintiff
hat the defendant specifically perform the contract, withat costs.

John McDowell agt. Cornelius Shechan, appellant. Judg-ent reversed, and complaint dismissed, with costs.

David S. Randsill agt. the State, appellant. Award af-

David 8. Kandall agt. the State, appearant. Award anned, with costs.
George C. Manning et al., agt. L. P. Beck et al., aplants; Elizabeth Blaser agt. Hector McLean, appellant;
V. Whitten et al., appellants, agt. E. G. Golher and another,
thewis, appellant, agt. E. G. Golher and another,
dzment reversed, and new trial granted; costs to abide
event.

he event.

Ursula Jooss, appellant, act. Christian Fev and anott
udgments of General and Special Terms reversed, and i
ifal ordered; costs in all courts to abide the event. These decisions were handed down in the Second Division

to-day:

E. Egerer, appellant, agt. New-York Central Railroad, James B. Watts, appellant, agt. S. B. Aober; George L. Pratt. appellant, agt. the Dwelling-house Mattoul Fire Insurance Co., etc.; Mary J. Kennedy agt. Rochester City and Brighton Railroad Co., appellant. Judgment reversed and new trial granted, with costs to shide event.

Spencer D. C. Van Bokkelen agt. R. H. Rerdell, appellant. Final independ reversed, and new accounting ordered, pursuant to the interlocutory fudgment, with costs to abide the final award of costs.

Margaset Wells, appellant, agt. Francis Alexander et al., B. Stevnes agt. Principt M. Reynods et al.; E. R. Ogden and another, amelionis. Judgment reversed, and judgment enforced on decision of Special Term affirmed with costs.

Frederich Beck. appellant, agt. Phoentx Insurance Co. Order reversed, and judgment entered on verdict affirmed with costs.

The Poenntico Water Works Co. agt. Seth Bild et al..

QUAKER OATS



Our Loss, Your Gain.

he quality of Quaker Oats the highest, instead of the price; but if so, it is Our loss, your gain.

Co. Order affirmed, and judgment absolute rendered against appellants, with costs.

Julia H. Rhinelander Dodge and another, appellants, art. Mary L. Gallatin et al; American Steam Boller Insurance Company, appellant and respondent, agt. E. C. Anderson and another, tospondents and appellants; Annie F. Darrigh agt. Renben Ross, appellant; John Homney agt. Brecklyn City Rullroad Company, appellant; William H. Hayden et al, survivors, etc., appellants, ags. National Bank State of New-York; the Butalo Stone and Cement Company agt. Delaware, Lackawanna and Western Ralicoad Company, appellant; J. J. Howe agt. J. J. Morehous and another, appellants; J. P. Kernochan, individually and as executor, etc., et al, agt. New-York Elevated Ralicoad Company and another, appellants; G. N. Morrison agt. Broadway and Seventh-ave. Raliroad Company, appellant; J. T. Prvor agt. H. A. Foster, appellant; Victoria R. Jones and another, appellant; and Rene agt. Village of Waterford, appellant; May Williams agt. Cornellus Williams, appellant; Julius A. Kohn, appellant, agt. Malcoim Henderson; A. P. Bates, appellant, agt. the Ridge-wood Manufacturing Company; C. H. Hung-rford agt. Hannah M. Bent, appellant; the Walden National Bank agt. M. G. Snyder and another, appellant; Susan Daly et al, respondents; Nicola Lofrano agt. New-York and Mount Vernon Water Company, appellant; Sarah M. Gerard et al. executors, vic. agt. E. H. Mo ilhan and another, appellant; J. Jenkins agt. William E. Dean, appellant; Judgmene affirmed with costs.

Following are the day calendars for to-morrow:
Elest Division, Nos. 55, 55, 72, 90, 150, 155, 166 and Order affirmed, and judgment absolute rendered again

Following are the day calendars for to-morrow First Division-Nos-53, 55, 72, 90, 150, 155, 166 and

Ellen E. Ward has begun a suit in the Supreme Court against the New-York Steam Company, the Union Trust Company, the Standard Gaslight Company and others, to forcelose a mortgage of \$120,000 on the a steam company's property in Washington, Dey, Greenich and Cortlandt sis. The mortgage was executed in 1882, and was originally for \$150,000, but the mpany has paid \$30,000 on it. Samuel H. Eckman and Abraham Vetsburg have

begun a suit in the Supreme Court to set aside the ssignment of Abraham Bucker, the note broker, to Benjamin F. Einstein, on the ground of franc. The plaintiffs are judgment creditors of Backer for \$32,000. They allege that since the assignment Backer has had control of his estate.

COURT CALENDAR FOR TO-DAY.

Supreme Court-General Term-Recess continued. Supreme Court-Chambers-Before Patterson, J.-Motion alcudar called at 11 o'clock. Supreme Court-Special Term-Part I-Adjourned until her 21. reme Court-Special Term-Part II-Adjourned for Surreme Court-Circuit-Parts I, II, III and IV-Superior Court-Equity Term-Before McAdam, J.-Camp agt, Mehrhof. perior Court-Trial Term-Parts I, II and III-med for the term. Pleas-Special Term-Before Bookstaver, J.

Common Pleas-Equity Term-Adjourned for the term. Common Pleas-Trial Term-Parts I, II and III-Ad-City Court Special Term-Before McGown, J.-Motions, City Court-Trial Term-Parts I, II, III and IV-Adcourt of General Sessions-Part I-Before Smyth, R., and sistant District-Attorneys Wellman and Simms-Nos. 1 to 12, inclusive.

Court of General Sessions-Part II-Before Martine, J.,
and Assistant District-Attorney Davis-Nos. 1 to 11, inclusive. J. and Assistant District-Attorney Bedford-Nos. 1 to 7. inclusive.

ADRIFT FOR HOURS IN A STORM.

Captain John H. Leo, master of the three-masted American schooner William L. Bradley, arrived here late on Monday night on the Ward Line steamer Orizaba Captain Leo told yesterday a most remarkable story of ie loss of his vessel and of his own experiences. says he is the only survivor of the officers and crew of the Bradley. The schooner left Charleston on October 5 for Weymouth, Mass. The wind was fair and the sea was calm. On October 9 the wind suddenly shifted from the south to the northeast, and began to blow with hurricane violence. The sea began to rise and the schooner struggled still toward the north, though it was with the greatest difficulty that she could be kept on her course. All that day and all the night the hurricane continued. It was about 2 o'clock on the afternoon of October 10, while the crew of the schooner were clearing away the wreckage caused by the storn that a three-crested wave appeared rushing toward the vessel. It came on, a great rushing mass of water, and threw itself upon the schooner. Captain Leo said resterday : "It came thundering down on the schooner arrying everything before it, sweeping every one from the deck and breaking in the hatches. The mate and I, feeling the schooner sinking beneath us, jumped into the sea. I saw the cover of the wheel-houloating by me and grabbed hold of it. I saw the mate clinging to a plank, and the cook clinging to a portion of a boat which had been broken in two by the wave which boarded us. When I looked again the mate was gone, and the cook was gone, and I was alone on the storm-tossed sea. I threw away my oliskin cont, and my rubber boots. The wave rolled the piece of wood to which I was clinging over and over, and I was more of the time in the water than I was out of it. I was in the Gulf Stream, and about off the Capes of the Chesapeake, so the water was warm, and I did not suffer from cold. Night came on and it was a clear and star-lit night, and I kept a good lookout for passing vessels. About 10 o'clock in the morning, just as I was getting exhausted, an was prepared to give up the fight, I saw a bark coming toward me. I swam toward her and cried out as loudly as my exhausted condition would let me. It was still blowing hard and the bark was under shortened sall. My cries were heard, and a line was thrown me b which I was hauled on board. She proved to be the Spanish bank Fann de Canarias bound for the port of Palmas in the Canary Islands. The bark had suffered considerably in the hurricane which had overwhelmed my own vessel and the pumps were kept going con nously. I was well taken care of on board the Fama and we reached Palmas on November 3. An Englishman named William Litchfield paid my passage from Palmas to Teneriffe, where I saw the American Consul, who sent me in the steamer Julia to Havnna. then I took the Orizaba to this port."

Captain Leo belongs in Rockland, Me., and will Captain Leo belongs in Rockland, Me., and will start for his home to-day. The schooner William L. Erndley was a three-masted schooner to 4-24 tons register and was owned by the Bradley Fertilizing Company, of Boston. She had on board a cargo of phosphate rock at the time of her loss. She was built last year and was classed under as special survey as sound for lifteen years. Both schooner and cargo were rully insured. She carried a crew of seven men besides the captain.

THE PEQUOI SINKS IN THE EAST RIVER.

The freight propeller Pequot, of the New-York and Providence Line, bound for this city with a cargo of general merchandise, ran on Man-of-War Rock, opposite East Thirty-eighth-st., at 10:30 o'clock yester day morning. She soon slid off and then began to with water. The captain headed the vessel fo Newtown Creek. She was rapidly sinking, the in-Company's tags Wonder, Conqueror and Vigilant went to her assistance and kept her up until she was towed near Pajmer's pier, at Greenpolat, where she sank. Her upper deck is now out of water.

S. V. WHITE NOT READY TO RESUME. A report received yesterday from Chicago announce at S. V. White was about to resume business. Mr White was asked about the rumor and said: "The ettlement of the Chicago firm I understand to be in progress. The New-York creditors have not all come to an agreement, hence one cannot say yet when business will be resumed."

GOVERNOR HILL'S OPEN BID.

ACTION OF HIS STATE COMMITTEE.

RESOLUTIONS PASSED TO SMOOTH HIS PRESI-

DENTIAL PATH-HOW IT WAS DONE. The State Democratic Committee held a session yes terday in Parlor C of the Hoffman House. It was a full committee, including W. Bourke Cockran and Justice Thomas F. Grady. Corporation-Counsel Clark represented Mayor Grant, who is absent in Ireland, Hugh McLaughlin was somewhere else. The holders of proxies were A. N. Brady for Samuel J. Tilden, James H. Manning for D. Cady Horrick, A. J. Quackenbush for E. D. Cutler, C. R. De Freest for William B. Kirk, and Jacob A. Cantor for J. W. McMahon. Edward

Murphy, jr., of Troy, presided.

There was no brass knocker on the door of Parlor C; the metal was needed for use within the room at was liberally distributed through the resolutions which

appear below. Almost the first business called up was the selection of some one to take the place of Herman Oelrichs, who in the recent campaign resigned as the representitive of his party in this State on the Democratic National Committee. The subject was infroduced by neans of a letter from Calvin S. Brice, of Ohio and ew-York and chairman of the National Committee. Perhaps we are mistaken in making Mr. Cockran pointed vividly to the importance of filling that vacancy, and Gerhardt Lang, of Buffalo, put in omination Lieutenant-Governor-elect William F. Sheehan, who was chosen with unanimity.

The spirit of David B. Hill was now recognized as present, it having entered mysteriously to the accompaniment of slow music by Mr. Cockran's chin, which is always seductive and enrapturing in its influence. Then this remarkable resolution was evolved through the instrumentality of Samuel A. Beardsley, of Oneida; Resolved, That in the opinion of this committee it would be detrimental to the best interests of the State and of the Democratic party for Governor Hill to relinquish the of-tice of Chief Executive until the expiration of the term for

which he was chose by the people.

The resolution was unanimously adopted, and as it passed into the tomes of history of the Democratic party in the Empire State it carried with it the ashes of the dead and crumbling hope of Edward P. Jones of Binghamton, that he might behold his name on the roll of New-York's Governors. Then Tammany's chiefiain, Richard Croker, presented another resolution ecidedly significant in its character, as follows:

Resolved. That it is the sense of this committee that the set interests of the Democratic party would be subserved by holding the Democratic National Convention in the city of New-York.

Without a word of dissent the resolution was passed But the crowning glory of the day's accomplishment was a resolution offered by Daniel G. Griffin, of Water town! This read as follows:

Resolved. That the chairman appoint a committee of three, to which the chairman shall be added, which shall be empowered to employ counsel and take such further stops 170.
Second Division—Nos. 477, 491, 515, 461, 656, ... 502 as may be deemed expedient to protect the interests of Democratic candidates in contested Senatorial and Assembly Unanimity was the order of the day, and away the

esolution sped. The committee appointed consists of the chairman, Edward Murphy, jr., of Troy; Daniel Griffin, John Delmar and Nicholas Muller, jr. This announcement is accompanied with a sort of instructive assurance that W. Bourke Cockran will be employed as one of the quansel. The day's work is looked upon as possessed of much significance in connection with the Presidential nomination next year. It is said that the resolution looking to New York City as the place for holding the convention means the choice of a favorite Democratic son of this State. Linked with the resolution demanding the continuance of Governor Hill in office until January 1 and the resolution providing for the stealing of the Legislature no one can be in doubt as to the name of that favorite son. the chairman, Edward Murphy, jr., of Troy; Daniel

GALLIVAN'S DEFENCE PRESENTED.

ONE OF HIS WITNESSES MAY BE CHARGED WITH PERJURY. The twelfth juror was secured yesterday in the trial

in General Sessions of Michael J. Gallivan, who killed James Cummings on last Christmas Day, and then Assistant District-Attorney Wellman opened the case Surroyate's Courts—Refore Rapsom, S.—Will of Alfred for the people. He withdrew the charge of murder glow, 10.39 a. m. No probate celendar, J.—Mo-Superior Courts—Special Term—Before Freedman, J.—Mo-in the first degree, but asked the jury to find a wordlet in the first degree, but asked the jury to find a wordlet. of murder fa the second degree or of manslaughter. Assistant District-Attorney Simms is aiding Mr. Well man, and William F. Howe appears for the prisoner. The trial is before Recorder Smyth. Gallavan shot Edward Hurley at the time that he

diled Cummings, and Hurley was the first witness yeserday. He is now a coachman for William Kemp, at Tuxedo Park, but, was formerly employed at Gal-livan's livery stable, No. 121 West Forty-fifth-st. Cummings had also been employed by Gallivan, who had discharged both of them without paying what was due them: Hurley testified:

"Gallivan owed me \$7, and on Christmas morning I went to his stable to get the money. He refused to give it to me, and said he would put me out of the place if I didn't get out. I went away and met Cummings. Gallivan owed him money too, so we both went back to the stable. Cummings demanded his REMARKABLE STORY 10LD BY THE CAPTAIN
OF THE WILLIAM L. BRADLEY.

Captain John H. Lee, master of the three-masted

Well Gallivan told him to get out. Only represents highly tempered mud, deny thists wouldn't go, so Gallivan grappled Mr. Morgan answered quietly that he had not seen the committee, but this Gallivan's hand, and saw him shoot Cummings. Then reply only increased the anger of Mr. Morris, who ache shot me."

Hurley denied having attacked Gallivan with the balestick which Mr. Howe showed him. Thomas Fay, a chair-caner at No. 172 West Forty-eighth-st., passed the stable just as Gallivan said "I'll shoot." The next moment a shot was fired and Cummings fell dead on he floor. Roundsman Walling, who took Gallivan to the station-house, said there was little blood on him at the time, nor did he complain of any injuries.

Mr. Howe, in opening the case for the prisoner, said he would show that Hurley and Cummings attacked Gallivan with a wrench and a balestick, broke his nose and three of his ribs, knocked out several of his teeth and otherwise injured him. Then the prisoner shot in self-defence. The first witness for the defence was Frederick Ethier, of No. 423 West Forty-secondst., a hackman. He swore that at about noon on Christmas he met Cummings, who was drunk, and Cummings told him that he intended to "do up" Galli-

Thomas Bennett, of No. 236 East Seventy-fifth-st., Thomas Bennett, of No. 236 East Seventy-fifth-st., another hackman, said that he saw Gallivan on the floor, while Cummings was beating him with a bale-stick. Hurley was striking the prostrate man on the head with a wrench. The witness called out to Gallivan, "Why don't you shoot!" and then the shots were fired. Bennett told such a suspicious story that Mr. Wellman ordered that he be detained. He may be prosecuted on a charge of perjury.

Other persons who saw part of the fight, or who knew Gallivan's reputation as a peaceable citizen, were called on to testify, and then the trial was adjourned until to-day.

ARREST OF A NORWEGIAN FORGER.

Carl Woxen, the Consul for Norway and Sweeden at this port, received a dispatch several weeks ago from his Government, asking him to cause the arrest of N. E. Rastad, a Norwegian forger, who was believed to be on his way to the United States Rastad was a merchant at Aalesund, Norway, and he charged with forging a draft for 2,500 crowns, about \$1,000, on the Landmann Bank. Mr. Woxen gave the dispatch to Deputy Marshal Bernhard, who watched all the incoming steamers from Denmark. On November 26 a man who answired the de-

scription arrived at Hoboken on the steamer Island, of the Thingvalia Line, from Christiansand. Bernhard followed him to the farryboat, and crossexamined him at length. The foreigner said he was Elias Ingebrigisen. The dispatch from Norway was not sufficient on which to hold the man, so Bernhard let him go, but followed him to a hotel in East let him go, but followed him to a note in East Broadway. The deputy marshal reported to Mr. Woxen, who sent to Norway for further particulars. The Norwegian had moved to No. 62 Delancey-st, in the meantime, but Bernhard had kept his eye on him, and abosted him yesterday. The man finally ad-mitted that he was Rastad, and consented, before Com-missioner Lyman, to go back to Norway.

Howe & Hummel will make only one more effort o save the life of Martin D. Loppy, they say. Loppy vas convicted of murder for killing his wife on July 4, 1890, at No. 220 Chrystie-st., and has sentenced to be put to death in the week beginning De-cember 7. His lawyers will obtain a writ of habeas

corpus for his production in the Supreme Court on Friday, and if the decision is adverse they will do

ONE CHANCE, A SLIM ONE, FOR LOPPY.

THE NAVY YARD EXAMINATIONS. The Navy Yard Civil Service Examining Board ves-

erday continued its examination of the ninety-six cantidates who are competing for the nine places of n the Navy Yard. Most of the candidates are ployed in the Yard. Hence, even should they not

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pass a successful examination for the higher places, they will not lose their places as mechanics on the general work. The examination will not end for several days, and then it will be a week before the names of the successful competitors will be known.

THE SAME OLD ALDERMEN.

AND THEY TALK ABOUT THE SAME OLD SUBJECTS AND DO NOTHING. More bad temper was shown in the Board of Alder

men at its meeting yesterday, when Mr. Mead made another effort to secure the passage of an ordinance compelling the New-York Central Railroad Company to desist from using steam in Eleventh-ave, below Sixtieth st., except at night. Chairman Morgan, from the Railroad Committee, reported that it was not deemed advisable to inclose the railroad tracks in Eleventh-ave. This was the signal for war on the part of the promoters of the restriction. John Morris, of the VIIth District, arose and said: "This seems to be a case for the coroner when a committee deliberately wants to strangle its own offspring. Will its chairman, who has seen fit to refer to himself as belonging to a higher order of civilization, but when I think of it cused Mr. Morgan of trying to throw dust in the eres of the people. H also reflected upon the committee for dilatory action. Mr. Harris, Mr. Morris and Mr. Morgan were soon mixed up in a wordy combat, in the midst of which Mr. Brown moved to lay the whole business upon the table. President Arnold, seeing a short cut out of the trouble, recognized Mr. Brown's motion, and with remarkable celerity declared it carried. Some of the combatants called loudly for the yeas and nays, but Mr. Arnold paid no attention

the outery.

Mr. Duffy produced and offered that old-time proposition for selling fruit and vegetables by weight instead of by measure. It was referred to the Law Committee.

Committee.

An ordinance requiring that cabs and backs be better lighted at night was adopted.

A POLICEMAN WHO HAS HYPERTROPHY.

The complaint of Richard C. Sibley that he kept locked up in the West One-hundredth-st. police station the greater part of one night in May, 1890, b cause Captain Berghold and Sergeant Cooney refused to send a messenger to his friends and thus assist him to procure ball again claimed the attention of the Police Board yesterday. It was referred to Superintendent Murray for action, with the understanding that an investigation might cause Captain Berghold and Sergeant Cooney to be placed on trial. Mr. Sibley asserts that there was a conspiracy to keep him in

cell all pight. Detectives Corey and Hennessy, of the East Twentysecond-st. squad, were remanded to patrol duty and transferred from the precinct yesterday upon the recommendation of Superintendent Murray. It was said that they had been neglecting police business and spending too much of their time in places of amuse

ment. Commissioners McClave, Martin and Voorhis wished to retire Policeman Elliott on a certificate of the Board of Police Surgeons that he was permanently disabled on account of hypertrophy of the liver and other diseases. President MacLean looked in the dictionary and read that hypertrophy meant "in medicine, the enlargement of a part of the body from excess nourishment."

That applies to policemen," he said. As his consent was necessary to the retirement of Elliott, and as Mr. MacLean held that the certificate of the surgeons did not comply with the requirements of the law, the policeman was not retired.

Policeman M. A. Mullaney, of the Old Slip squid. a brother of Assemblyman Mullaney, was dismission the force for intextention.

TO HELP THE MESSIAH HOME. A special exhibition and private sale of paintings is

connection with a fair for the Messiah Home for Children is to be held at Sherry's to-morrow and Friday afternoons and evenings. The paintings are in oil, by Otto Pacher, George B. Barse, Fidelia Bridges, C. C. Colman, H. B. Fuller, C. C. Griswold, Winslow Homer, George Inness, R. H. Nichols, Julius Rehder, C. Y. Turner and others; pastels by J. Carroll Beckwith, Robert Plum, J. Wells Champney, Suzanne Lathrop and Walter Palmer; water-colors by Bruce Crane, Amy Cross Francis L. Day, F. Morley Fletcher, Albert Herter, Mary King Longfellow, Thomas Moran and N. S. Jacobs smillie. The exhibition and sale of pictures is in charge of Mrs. Champney. There will be music to morrow evening and dancing on Friday evening. In the afternoons the admission will be free, evenings 50 cents.

NEWSPAPER MEN MEET.

The governing board of the International League of Press Clubs mot yesterday afternoon at No. 1,259 Broadway. R. Worall presided. Arrangements were made for holding the next meeting of the league in San Francisco on January 14, 1802. A special train will leave this city on January 14, 1892. A special train will leave this city on January 5 and will make stops at Pittsburg, Chicago, Denver and Sait Lake City. Those present at the meeting were Edward De Young. of San Francisco; Thomas J. Keenan, of Pittsburg; H. D. Vought, of Buffalo; W. B. Weston, of Grand R. D. Vought, and Dr. J. H. Leuner, Charles W. Price and R. Worall, of this city. In the evening the board attended the Derformance at the Broadway Theatre.